

FILED

16 SEP -2 PM 1:57
17 CLERK'S OFFICE, FEDERAL DISTRICT COURT
18 SAN JOSE, CALIFORNIA

1 United States District Court for the
2 Northern District of California

3 Motion to Amend
4 Pleading
5
6

7 Kevin Brewer AJR936
8 V.S

SI

9 ALTA BATES Summit
10 medical Center #ote
11 Director of Hospital #Two
12 Chief of Surgery #Three
13 Rebecca Tu M.D. #Four
14 Assisting Surgeon #Five
15

NoCV08 3149

16 Notice of motion and motion
17 To Amend Pleading Supporting
18 Declaration of and
19 Memorandum of Points and
20 Authorities

21 Date _____

22 Time _____

23 Dept _____

24 Judge _____

25 Date of action filed _____

26 Trial Date _____

27 To the Honorable Court If the above
28 Exhibited action _____

1 § 415,95 Proceeding for order Permitting
2 filing of Amended Pleading Seeking
3 Punitive Damages Against Health Care
4 provider

5 Already filed with the Court
6 Code Civ Proc § 425.13 order Code Civ Proc
7 § 1003 Granting motion
8 Code Civ Proc § 425.13(A)
9 Code Civ Proc § 2015.5 Code Civ Proc 425.13(A)
10 Civ Code § 3294(C) Civ Code § 3294
11 Code Civ Proc § 425.13(b)
12 Code Civ Proc § 425.13's College Hosp ✓
13 Superior Court (1994) 8 Cal 4th 704, 719, 722
14 727, 34 Cal Rptr 2d 898, 882 P 2d 894
15 Code Civ Proc § 425.13(a) Central Pathology
16 Serv med Clinic Inc ✓ Superior Court
17 (1992) 3 Cal 4th 181, 191-193 10 Cal Rptr 2d 208
18 882 P 2d 924
19 Code Civ Proc § 425.13(a) Central Pathology
20 Serv med Clinic Inc ✓ Superior Court
21 (1992) 3 Cal 4th 181, 192, 10 Cal Rptr 2d 208
22 882 P 2d 942
23 Code Civ Proc § 425.13(a) ~~Pathology~~ Central
24 Pathology Serv med Clinic Inc ✓ Superior
25 Court (1992) 3 Cal 4th 181, 192-193 10 Cal
26 Rptr 2d 208, 882 P 2d 942
27 Civ Code § 3294 Code of Civ Proc § 425.13
28 Lookey ✓ Superior Court (1993) 16 Cal

1 App 4th 521, 539, 20 Cal Rptr 2d 182
2
3
4
5
6

7 I declare under penalty of perjury
8 that the foregoing is true and correct
9

10
11
12 Signed August day of 26 2008
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Karen Brewster
Plaintiff's Signature